

Dear committee members,

I am stating my opposition to this red flag law proposal. I believe there are certain lines that should not be crossed. This is one of them.

We currently have a process where victims can apply for relief from abuse which allows for due process. This is to ensure statutory conditions are satisfied and to give a respondent the opportunity to defend themselves and, in some cases, prove the claims to be false or otherwise not made in good faith. I have an ex who did this to me less than 6 months ago so I understand and have lived it. Many applicants use this process to attack others through the legal system. No action was taken by the court for making a false statement. Without consequence, those who would abuse this system are emboldened. This is inherently wrong.

This red flag proposal seeks to remove those checks and balances. Not to mention, this is an ex parte application where the respondent would be guilty until proven innocent. This is bad policy. Reinventing the wheel is never a good idea. What we have in place already ensures due process of law and respects the rights of the people. HB 6355 will not. Let's not forget having to navigate the process, permit restoration, fees, getting your property back and what a person must go through. I think of people like myself who have had false claims made against me. Without those checks and balances, I would have been subjected to similar treatment without actually doing something wrong. Without harsh repercussions for making false statements, you're creating a very bad situation where abuses of the highest degree are imminent.

I respectfully oppose this bill.

Regards,

Mark Pelkey
Stafford Springs

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